



Serbia and Montenegro (includes Kosovo)

International Religious Freedom Report 2005

Released by the Bureau of Democracy, Human Rights, and Labor

Report on Kosovo is appended at the end of this report.

The Constitution and laws of the state union of Serbia and Montenegro and its constituent republics provide for freedom of religion, and state union and republican Governments generally respect this right in practice. There is no state religion in Serbia and Montenegro; however, the majority Serbian Orthodox Church receives some preferential consideration.

There was no change in the status of respect for religious freedom during the period covered by this report, and government policy contributed to the generally free practice of religion.

There were some instances of discrimination and acts of societal violence directed against representatives of religious minorities in Serbia and Montenegro. The Jewish community in Serbia reported an increase in anti-Semitism, including anti-Semitic books, during the period covered by this report; however, there were about the same number of incidents against religious groups overall as there were during the previous reporting period. Leaders of minority religious communities often relate acts of vandalism to negative media reporting labeling them "sects." Police and government officials have taken some positive steps in response to acts of hate speech and vandalism.

The U.S. Government discusses religious freedom issues with the state union and republic Governments as part of its overall policy to promote human rights. Embassy representatives meet regularly with representatives of ethnic and religious minorities as well as with government representatives to promote respect for religious freedom.

Section I. Religious Demography

The state union of Serbia and Montenegro (excluding U.N.-administered Kosovo) has an area of nearly 35,300 square miles and a population of approximately 8,186,000. Religion plays a small but growing role in public life. The predominant faith in the country is Serbian Orthodoxy. Approximately 78 percent of the citizens of Serbia and Montenegro, including most ethnic Serbs and Montenegrins who profess a religion, are Serbian Orthodox. The Muslim faith is the second largest in Serbia and Montenegro, with approximately 5 percent of the population, including Slavic Muslims in the Sandzak, and ethnic Albanians in Montenegro and southern Serbia, and Roma located throughout Serbia and Montenegro. Roman Catholics make up approximately 4 percent of the population and are predominantly Hungarians in Vojvodina, ethnic Albanians in Montenegro, and Croats in Vojvodina and Montenegro. Protestants make up approximately 1 percent of the population and include Adventists, Baptists, Reformed Christians, evangelical Christians, Jehovah's Witnesses, the Church of Christ, and Pentecostals. Members of the Church of Jesus Christ of Latter-day Saints (Mormons) are also present. Serbia and Montenegro has a small and aging Jewish population numbering less than 4,000. The remainder of the population professes other faiths or considers itself atheist. In a 2002 census, 3 percent of Serbian citizens claimed to be nonbelievers or declined to declare a religion. According to Montenegro's 2003 census, almost 70 percent of its population is Orthodox, 21 percent is Muslim, and 4 percent is Catholic. Approximately 100 foreign missionaries from several Protestant faiths operate in the country.

Section II. Status of Religious Freedom

Legal/Policy Framework

The Constitution and laws of the state union of Serbia and Montenegro and its constituent republics provide for freedom of religion, and the Governments generally respect this right in practice. The Governments at all levels generally strive to protect this right in full and do not tolerate its abuse, either by governmental or private actors. There is no state religion in Serbia and Montenegro; however, the Montenegrin Republic's Constitution mentions the Orthodox Church, Islamic Religious Community, and Roman Catholic Church by name, stating that these and other religions are separate from the state. The majority Serbian Orthodox Church receives some preferential consideration.

In December 2004, an amendment to the Serbian property tax law removed the blanket exemption for property of religious organizations used for religious services and substituted an exemption covering only the seven "traditional" religious communities: the Serbian Orthodox Church, the Muslim community, the Roman Catholic Church, the Slovak Evangelical Church, the Jewish community, the Reform Christian Church, and the Evangelical Christian Church. The Serbian Religion Minister claimed to be unaware of the amendment when a local religious leader asked him about it, and he said he would ask the tax authorities not to begin enforcing the amendment before it could be reconsidered. Tax officials reportedly have not started collecting the tax on formerly exempt religious property.

The Serbian Government began requiring all religious organizations to submit annual financial statements as businesses. On March 2 2005, Novi Sad's commercial court fined Serbia's Baptist Union \$308 (20,000 dinars) and its vice-president, Zarko Djordjevic, \$62 (4,000 dinars) for failure to comply, but suspended the fines because the Baptist Union had been unaware of the requirement. In 2004, the Adventist Church was fined \$395 (500 euros) for the same offense. In 2005, legal proceedings were underway against the Adventist Church and the financial director of the Serbian Orthodox diocese of Raska/Prizren for failure to submit annual financial statements.

The requirement for religious groups to register lapsed when the Federal Republic of Yugoslavia (FRY), predecessor of the state union of Serbia and Montenegro, ceased to exist in 2003. By the end of the period covered by this report, there was no formal registration of religions in either republic. However, to gain the status of a juridical person necessary for real estate and other administrative transactions, religious groups may register as citizen groups with the Ministry of Interior in their home republic. During the reporting period, the Serbian Government circulated several drafts of a religion law that would provide for registration of religions.

Religious education in Serbian primary and secondary schools continued during the period covered by this report. According to a 2001 Serbian government regulation, students are required either to attend classes from one of the seven "traditional" religious communities or to elect to substitute a class in civic education. The proportion of students registering for religious education grew during the period covered by this report and now equals the proportion registering for civic education courses. Some Protestant leaders and nongovernmental organizations (NGOs) in Serbia and in Montenegro continued to voice their objection to the teaching of religion in public schools, as well as to proposals that would officially classify some of Serbia's religions as traditional.

There was limited progress in Serbia during the period covered by this report on restitution of previously seized religious property. The Government reported that it was near to completing a register of seized religious property. As a temporary measure, a few religious communities have been granted free use of some facilities that had been seized from them. There was no progress noted in drafting a law on restitution of religious property in Serbia. Montenegro's Law on Restitution, passed in 2004, covers religious property on the same footing as privately owned property.

The Government of Montenegro built a temporary waste facility on a site in Lovanja in 2004. A claim filed by Catholic priest Don Branko Zbuteaga that the Catholic Church held title to some of the land was rejected and a countersuit filed against him by the Montenegrin Government was upheld. Zbuteaga has appealed the \$2510 (2,000 euros) fine imposed on him in the case.

While municipal governments in Serbia at times fund rehabilitation of historical religious property of various faiths, the Serbian Government also is funding construction of one religious building--a large Serbian Orthodox Church--by raising postal charges. After the widespread destruction of the Church's property in Kosovo in March 2004, the Serbian Government decided to subsidize salaries of Orthodox clergy in Kosovo.

Orthodox Christmas and Orthodox Easter are public holidays in Serbia and Montenegro. These holidays do not negatively affect other religious groups.

Restrictions on Religious Freedom

Government policy and practice contributed to the generally free practice of religion. However, there are examples of Serbian municipalities' suspicion and caution with regard to certain religious groups.

Police response to vandalism and other societal acts against religious groups rarely resulted in arrests, indictments, or other resolution of incidents. One notable exception was action that state union Human and Minority Rights Minister Rasim Ljajic obtained when criminals demanded protection money from Jehovah's Witnesses.

There is no chaplain service in the armed forces. Although local Serbian Orthodox priests are the only clergy offering religious services at armed forces chapels, members of the armed forces of other faiths can attend religious services outside their barracks and spend important religious holidays with their families. Due to cost considerations, the Army has not yet implemented plans to meet Muslim soldiers' dietary requirements, which would require separate kitchens.

The Belgrade Islamic community reported continued difficulties in acquiring land and government approval for an Islamic cemetery near the city. Religious organizations generally continued to report difficulty obtaining permission from local authorities in Serbia to build new worship facilities.

The town of Bor, Serbia, forbade distribution of 2,500 gifts donated by the U.S. religious organization Samaritan's Purse, reportedly at the request of a Serbian Orthodox clergyman; the gifts were subsequently distributed. The mayor of Bor had expressed concern that Baptists and Jehovah's Witnesses are dangerous.

The town of Leskovac, Serbia, has a municipal Council for the Prevention of Addictions and Religious Sects. The Council has identified Adventists, Baptists, Pentecostals, the Evangelical Church, Jehovah's Witnesses and "satanists" as sects and promoted propaganda against them.

The Montenegrin Government challenged a decision by the Ministry of Defense of the former Federal Republic of Yugoslavia to transfer military property to the majority Serbian Orthodox Church in 2003. Montenegrin officials claim the transfer was an illegal attempt to prevent the Republican Government from obtaining this property when the federal state was dissolved and replaced by the state union of Serbia and Montenegro. The case remained unresolved by the end of the period covered by this report, largely because of a moratorium on most transfers of military property.

The town of Leskovac did not follow through on its offer to provide land, electricity, water, sewage, and a road to facilitate relocation of a tent church used by Protestant evangelical Roma that had been singled out for destruction; however, the town also did not follow through on its plan, approved by the Serbian Supreme Court, to raze the tent church, and there is no indication that it will.

Local authorities ordered the demolition of a Romanian Orthodox church built on private, rural land (which does not require building permits) in the village of Malajnica, Serbia. The authorities evidently acted because the local Serbian Orthodox clergy had not granted approval for the church—an issue of Orthodox Church rules and jurisdiction. The case was before the Serbian Supreme Court at the end of the reporting period. In May 2005, a local Romanian Orthodox priest who led a religious procession without police permission was charged with inciting religious hatred but quickly acquitted.

There were no reports of religious detainees or prisoners.

Forced Religious Conversions

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States; nor were there reports of the refusal to allow such citizens to be returned to the United States.

Abuses by Terrorist Organizations

There were no reported abuses targeted at specific religions by terrorist organizations during the period covered by this report.

Improvements in Respect for Religious Freedom

The amount of anti-sect reporting in the media declined slightly during the reporting period.

The Serbian Government has been responsive to concerns expressed by religious organizations and the international community about a draft religion law presented in July 2004. Successive drafts have come closer to addressing concerns about dividing religions into categories with different privileges, such as government financial support, and imposing conditions on registration of religions.

There was widespread criticism of anti-Semitic graffiti in March 2004 by government and democratic political leaders, as well as by the Serbian Orthodox Church.

Human and Minority Rights Minister Rasim Ljajic was able to assist the Jehovah's Witnesses when criminals demanded protection money from their Kingdom Hall in Loznica, Serbia, in December 2004. The demand for protection money was never repeated after Minister Ljajic contacted Interior Minister Dragan Jovic about the problem and the latter sought intervention by local police. The perpetrators were not charged for the extortion attempt, but at the end of the reporting period they were on trial for the 2000 killing of a paramilitary commander.

In May 2005, police in Sremska Mitrovica filed a criminal complaint against two minors who allegedly threw rocks at the Adventist Church there, breaking windows and damaging a wooden fixture.

Police have been stationed outside the Belgrade mosque since the attack on it in March 2004. Police also provide security in front of the Belgrade synagogue.

The Government has not become involved in the canonical dispute between the Serbian Orthodox Church and the Macedonian Orthodox Church, which the Serbian church considers schismatic. For more on this issue, see the report for Macedonia. At its May 2005 Assembly, the Serbian Orthodox Church excommunicated followers of the Macedonian Orthodox Church and asked that Orthodox churches around the world recognize the autonomous status of the Ohrid archdiocese.

Section III. Societal Attitudes

While relations between members of different religious groups were generally good, there were some instances of discrimination against representatives of religious minorities in the country and at least one instance of discrimination against the Serbian Orthodox Church in the Muslim-majority Sandzak region. Religion and ethnicity are intertwined closely throughout the country, and in some cases it was difficult to identify discriminatory acts as primarily religious or primarily ethnic in origin. Harassment of the Romanian Orthodox Church appeared for the first time during the reporting period.

Minority religious communities in Serbia continued to experience problems with vandalism of church buildings, cemeteries, and other religious premises. Most attacks involved spray-painted graffiti; thrown rocks, bricks, or bottles; or vandalized tombstones. In Serbia, in July 2004, dozens of gravestones were damaged and knocked over in a Catholic graveyard in Sombor. Windows were broken at Baptist and Christian Community Churches, and an entry door and windows were broken at Rainbow (a Christian humanitarian organization) in Novi Sad during the July 31-August 3 weekend. The same weekend, windows were broken at an Adventist church in nearby Kovilje. In August 2004, windows and an entry door were broken at a Romani Christian kindergarten in Jagodina. In October 2004, stones were thrown at a Baptist church in Novi Sad, graffiti ("We'll burn you," a swastika, and a three-legged skinhead-style swastika with "KKK") were spray painted on a Christian Reformed Church in Sombor, windows were broken on the house and car of an Adventist preacher in Novi Sad, a grave was desecrated at a Catholic graveyard in Novi Sad, and graffiti were spray painted on a Catholic church in Kovin. In November 2004, graffiti, including swastikas, were spray painted on a Catholic church in Petrovaradin, and windows were broken on the home of a Christ Spiritual Church priest in Aradac. In December 2004, stones were thrown at a Church of God church in Belgrade, and windows and an entry gate were broken at a Church of God church in Sremska Mitrovica. On January 8, 2005, a window was broken at an Assembly of God church in Pancevo and graffiti (fascist symbols) were spray painted on a memorial to Jewish Holocaust victims in Novi Knjezevac during the nights of January 26-27, 2005 (the 60th anniversary of the liberation of Auschwitz). On March 1, 2005, graffiti ("death to the sects") were spray painted on an Assemblies of God church in Pancevo; anti-Semitic graffiti and posters were found in Belgrade on March 22, 2005 (see details below); and graffiti ("death to Adventists," "sect," a drawing of an AK-47 and a Serbian nationalist symbol) were spray painted on a Belgrade Adventist facility during the nights of March 27-28, 2005. Finally, on April 4, 2005, windows were broken at an Adventist church in Smederevo, and on April 5, 2005, graffiti ("orthodoxy or death," "they serve the devil here," "Jews out," "gays out of Serbia," a swastika, and a Serbian nationalist symbol) were spray painted in Zrenjanin on the Jewish community center, an education center, and Adventist church. Local officials quickly painted over graffiti that appeared at the Jewish cemetery in Belgrade and at an Adventist church in Zrenjanin.

While harassment of religious minorities was generally limited to crimes against property and occasional verbal abuse, there were a few physical attacks on persons in Serbia during the reporting period. In October 2004, an Adventist preacher suffered a verbal attack and then was grabbed and shaken in Novi Sad; the attacker's identity was known, but no charges have been pressed. Also, in October 2004, three youths first verbally attacked a member of the Jehovah's Witnesses arriving at the Kingdom Hall in Leskovac and then hit his leg with a rock and beat him with their fists, causing minor injuries. Police have identified the attackers, and the injured person and Jehovah's Witnesses community were preparing private criminal charges. (In Serbia, private individuals can initiate criminal charges.) A member of the Jehovah's Witnesses was beaten in Novi Pazar because of her religious affiliation. In early 2005, a preteen Muslim boy was verbally abused and then beaten in Belgrade by other youths in his basketball league after they learned he had a Muslim surname. On at least one occasion, a rock was thrown at Serbian Orthodox clergy in the Muslim-majority Sandzak region.

Jewish leaders in Serbia reported a continuing increase in anti-Semitism, including an increase in the quantity of small-circulation anti-Semitic books. The release of new books or reprints of translations of anti-Semitic foreign literature often led to a spike in hate mail and other expressions of anti-Semitism. These same sources associated anti-Semitism with anti-Western and anti-globalization sentiments, as well as with nationalism. Anti-Semitic Internet postings (often translations of foreign websites) also remained a problem. On February 24, 2005, a Nazi website in the United States listed names, phone numbers, and addresses of what it claimed were "prominent Jews" in Serbia.

There was a spike in anti-Semitic graffiti and vandalism before the September/October 2004 local elections, paralleling the spike in incidents against other religious and ethnic minorities at the time.

During the night of March 21-22, 2005, anti-Semitic graffiti appeared, targeting the Jewish cemetery in Belgrade, buildings owned and used by Western-leaning TV/Radio B-92, and two human rights NGOs. In addition, anti-Semitic posters targeting B-92 appeared in several highly visible downtown areas. The posters were signed Nacionalni Stroj (National Formation). The Government quickly painted over the graffiti at the cemetery and arrested three people caught putting up the posters. There was widespread condemnation of the incidents by government and democratic political parties. On March 31, 2005, police arrested another person caught writing graffiti on the wall of the Jewish cemetery in Belgrade.

In March 2005, a tabloid attacked the president of the Serbian Supreme Court because of her "Jewish origin," and provided her address, a photo of the building where she lives, and her home phone number.

In 2004, police arrested 110 persons for an attack on the Belgrade mosque in March 2004. In April 2005, one of these persons was sentenced to three months' imprisonment in connection with the attack. A trial of eleven persons indicted in the attack was ongoing at the end of the reporting period. The Serbian Government has repaired the outside of the mosque but has not yet repaired the interior. The Government has also pledged funds toward repair of other buildings on the mosque compound.

Because of the failure of defendants to appear, the trial has not yet started for the 11 persons charged in an attack on the mosque in the southern Serbian city of Nis, which occurred the same night as the attack on the Belgrade mosque. Authorities have issued arrest warrants for at least five of the defendants. Nis authorities provided \$4,688 (300,000 dinars) toward repair of the Nis mosque.

Anti-sect propaganda decreased slightly in the Serbian press, which labeled smaller, multiethnic Christian churches—including Baptists, Adventists, and Jehovah's Witnesses—and some other smaller religious groups "sects" and claimed they were dangerous. Religious leaders have noted that instances of vandalism often occurred soon after press reports on sects. In August 2004, the daily Politika published a report from a contributor that attacked Adventists, Baptists, Pentecostals, and Jehovah's Witnesses as "pseudo-Christians." In September 2004, a guest on BK Television spoke for a half hour against Mormons and Jehovah's Witnesses and claimed that they used sports events and language schools to recruit members. In September 2004, local television in Jagodina reported that a "Gypsy Christian Center" was luring children into a sect. The daily Vecernje Novosti reported in September 2004, in an article quoting Serbian Orthodox priests, that Zealots (a small Orthodox Christian group) were creating pandemonium and that their temple was for "unclean spirits." In October 2004, a guest on RTS 1, a government television station, claimed that Jehovah's Witnesses were worse than satanists. On February 18, the daily Politika attacked the Zealots as an "Orthodox sect." According to some sources, the fact that one of Serbia's leading experts on sects is a police captain whose works are used in military and police academies further complicates this situation.

In Montenegro, the Catholic, Muslim, and Orthodox communities coexist within the same towns and often used the same municipally owned properties to conduct worship services. Tensions continued between the Serbian Orthodox Church and the Montenegrin Orthodox Church. These tensions are largely political, stemming from Montenegro's periodic drive for independence that started in 1997, and appear to be increasing as the prospects for a referendum on independence grow. The two churches continue to contend for adherents and to make conflicting property claims, but this contention was not marked by violence. However, NGO representatives reported concern at the level of nationalism and hate speech in Montenegro. Members of minority religious communities in Montenegro also reported being labeled "sects" and "cults" in the media. In May 2005, after Serbian Orthodox Metropolitan Amfilohije presided at the funeral of the mother of indicted war criminal Radovan Karadzic and used the occasion to deny the existence of the Montenegrin state, Amfilohije was criticized by Montenegrin President Vujanovic for improper political interference.

Section IV. U.S. Government Policy

The U.S. Government continues to promote ethnic and religious tolerance throughout Serbia and Montenegro. Embassy officials meet regularly with the leaders of religious and ethnic minorities, as well as with representatives of the Serbian Orthodox Church and the Government to promote the respect of religious freedom and human rights. Embassy officials worked with the Serbian Religion Minister and leaders of religious communities to improve a draft law on religion. Embassy officials also worked with religious leaders to organize a public interfaith event to help minimize the public perception that certain minor religions are dangerous "sects." The Embassy also counseled religious groups to report all incidents against their property or adherents to senior government officials, to counter often lackluster response by local police. Embassy officials interceded with local authorities concerning an evangelical tent church that had been singled out for destruction. Embassy officials also sponsored a seminar on the chaplain's role in the U.S. military. Embassy officials continued to urge senior government officials to speak out against incidents targeting ethnic minorities (including their places of worship and cemeteries) and to find and punish the perpetrators.

KOSOVO

Kosovo continued to be administered under the civil authority of the U.N. Interim Administrative Mission in Kosovo (UNMIK), pursuant to U.N. Security Council Resolution (UNSCR) 1244. This resolution called for "substantial autonomy and meaningful self-administration" for the persons of Kosovo "within the Federal Republic of Yugoslavia." UNMIK and its chief administrator, the Special Representative of the Secretary General (SRSG), established a civil administration in 1999, following the conclusion of the NATO military campaign that forced the withdrawal of Yugoslav and Serbian forces from Kosovo. Since that time, the SRSG and UNMIK, with the assistance of the international community, have worked with local leaders to build the institutions and expertise necessary for self-government under UNSCR 1244. UNSCR 1244 also formed an international peacekeeping force in Kosovo (KFOR) mandated to deter hostilities and establish secure conditions.

The UNMIK-promulgated Constitutional Framework provides for freedom of religion, as does UNMIK Regulation 1999/24 on applicable law in Kosovo; UNMIK and the provisional institutions of self-government (PISG) generally respected this right in practice. The number of attacks by Kosovo Albanians against Kosovo Serbs, which peaked following the NATO campaign in 1999, again rose in March 2004 when violence perpetrated by Kosovo Albanians resulted in the deaths of 19 persons (11 Kosovo Albanians and 8 Kosovo Serbs), 954 injuries, and widespread property damage, including 30 Serbian Orthodox churches, monasteries (two of which are listed by UNESCO as cultural heritage sites), cemeteries and more than 900 homes. The number of attacks by Kosovo Albanians against Kosovo Serbs decreased during the period covered by this report.

Respect for religious freedom increased somewhat during the period covered by this report. However, most of the tensions between Kosovo's Albanians and Serb populations were largely rooted in ethnic, rather than religious, bias. Catholic institutions were not targets. Attacks on Orthodox religious sites significantly decreased after the March 2004 riots.

The events of March 2004 stalled the transfer of responsibility for the protection of Serbian Orthodox churches and other

religious symbols from the NATO-led Kosovo Force (KFOR) to U.N. international police (CIVPOL) and the Kosovo Police Service (KPS). The process was in fact halted immediately following the March 2004 riots and KFOR increased the number of checkpoints; however, the transfer process has since continued. Since the riots, Kosovo leaders, with prompting by international groups, sought to address the concerns of persons displaced by the violence and agreed to cooperate with religious site reconstruction.

In March 2005, UNMIK released a follow-up report to its June 2004 "Human Rights Challenges Following the March Riots." The report declared that KPS needed to become a more effective, accountable and human rights compliant police force. This report supplemented those of various groups analyzing the performance of KFOR, CIVPOL and KPS during the March riots and the future role of each entity. The municipalities of Gjilan/Gnjilane and Decan/Decani (home to the UNESCO world heritage site Decani Monastery) were the first of more than 30 jurisdictions to be transferred to KPS control. However, the Decan monastery requested and received continued heavy presence of Italian KFOR troops on site.

The U.S. Government discusses religious freedom issues with UNMIK, the PISG, and religious representatives in Kosovo as part of its overall policy of promoting human rights. The U.S. Government also supports UNMIK and KFOR in their security and protection arrangements for churches and patrimonial sites. In December 2004, the SRSG and KFOR commander signed a memorandum of understanding (MOU) which specifies response mechanisms and cooperation between the KPS and KFOR to maintain order. Contingency plans for riot control have been revised, and now include operational presence in municipalities and permanent contact among local police, UNMIK, communities, village leaders and local authorities.

In January 2005, under a new community policing initiative, UNMIK police began phased deployment of 350 international police officers to 30 locations in the region--sites for potential return of a displaced Serb population and those inhabited by Serbs.

Section I. Religious Demography

Kosovo has an area of approximately 4,211 square miles and its population is approximately 2 million. Islam is the predominant faith, professed by most of the majority ethnic Albanian population, the Bosniak, Gorani, and Turkish communities, and some in the Roma/Ashkali/Egyptian community, although religion is not a significant factor in public life. Religious rhetoric is largely absent from public discourse, mosque attendance is low, and public displays of conservative Islamic dress and culture are minimal. The Kosovo Serb population, of whom approximately 100,000 reside in Kosovo and 225,000 in Serbia and Montenegro, is largely Serbian Orthodox. Approximately 3 percent of ethnic Albanians are Roman Catholic. Protestants make up less than one percent of the population and have small populations in most of Kosovo's cities. Approximately 40 persons from two families in Prizren have some Jewish roots, but there are no synagogues or Jewish institutions.

Foreign clergy actively practice and proselytize. There are Muslim, Orthodox, Catholic, and Protestant missionaries active in Kosovo. There are approximately 69 faith-based or religious organizations registered with UNMIK which list their goals as the provision of humanitarian assistance or faith-based outreach.

Section II. Status of Religious Freedom

Legal/Policy Framework

In 2001, UNMIK promulgated the Constitutional Framework for Provisional Self-Government in Kosovo (the "Constitutional Framework"), which established the PISG and replaced the UNMIK-imposed Joint Interim Administrative Structure. Following November 2001 central elections, the 120-member Kosovo Assembly held its inaugural session in late 2001. In 2002, the Assembly selected Kosovo's President, Prime Minister, and Government. Since that time, UNMIK has transferred most of the authority authorized by the Constitutional Framework to the PISG, while retaining authority in such areas as security and protection of communities.

Kosovo's Constitutional Framework incorporates international human rights conventions and treaties, including those provisions that protect religious freedom and prohibit discrimination based on religion and ethnicity; UNMIK and PISG generally respect this right in practice. UNMIK, the Organization for Security and Cooperation in Europe (OSCE), and the PISG officially promote respect for religious freedom and tolerance in administering Kosovo and in carrying out programs for its reconstruction and development.

UNMIK recognizes as official holidays some, but not all, holy days of the Muslim, Catholic and Orthodox faiths. UNMIK recognizes the major religious Orthodox and Islamic holidays of Orthodox Christmas, Eid-al-Adha, Orthodox Easter Monday, Orthodox Assumption Day, the beginning of Ramadan, Eid al-Fitr and western Christmas.

There are no specific licensing regulations with regard to religious groups; however, to purchase property or receive funding from UNMIK or other international organizations, religious organizations must register with UNMIK as nongovernmental organizations (NGOs). Religious leaders have complained that they should have special status apart from that of NGOs.

In response to this complaint, the Kosovo Prime Minister's Office established a working group to draft a law on religious freedom and the legal status of religious communities; the group first met in 2003. The group consisted of representatives of the Catholic,

Protestant and Islamic religious groups in Kosovo; however, Serbian Orthodox representatives have declined to participate. Nonetheless, the working group continued to provide Serbian Orthodox representatives with drafts of the law.

The Kosovo Assembly passed the first reading of the Religious Freedom Law, which would further protect the rights of religious communities and individuals. Protestant religious groups, a minority in Kosovo, initially reported that their input had not been incorporated into the law; the group later became a member with equal status of the legislative drafting working group. International observers, OSCE, and the Protestant community expressed concerns to USOP, UNMIK and the PISG about the following elements included in the initial draft document: the stipulation that each religious group's name include the word "Kosovo," that religious community leaders must be citizens of Kosovo, that the amount of funding received from the domestic budget be tied to the number of a religion's registered members, and that in order for a religion to be registered it has to be established for a minimum of 5 years and have a minimum of 500 members.

In December 2004, the SRSG sent a letter to the Prime Minister's Office citing these concerns. The final draft had the objectionable elements removed and it reached the Assembly on May 20 and passed its first reading without amendment. Before the draft law's first reading, the Islamic community and Catholic leadership voiced to the USOP their own proposed amendments to this draft, which include: labeling the Islamic community the "only representative" of Kosovo Muslims, establishing a ministry of religion, and exempting religious communities from paying utilities. After the first reading in the Assembly, the law went back to parliamentary committee for further debate, and Islamic community leadership has lobbied local political leadership for inclusion of their amendments. The Speaker of the Assembly, the President of Kosovo and the leader of the political party in opposition then publicly supported including the proposed changes as amendments during the second parliamentary reading to be held July 20. Following a second reading, the law is scheduled to be sent to the SRSG for final approval.

Restrictions on Religious Freedom

UNMIK, the PISG, and KFOR policy and practice contributed to the generally free practice of religion; however, the Kosovo Islamic Community has at times publicly complained that Kosovo lacks genuine religious freedom, citing as examples UNMIK's refusal to provide radio frequencies for an Islamic radio station and the closing of a prayer room in the National Library by the Ministry of Education, Science, and Technology. The same community also alleged that although 32 acres have been allocated for building a Catholic cathedral in the municipality of Pristina, the Pristina Municipal Assembly refuses to grant their request to allocate space for new mosques for what the Islamic community claims is a growing Muslim population in Pristina. Some Kosovar Muslim leaders have complained that they were not consulted prior to registration of foreign Islamic NGOs with UNMIK.

During the period covered by this report, Kosovo political leaders--government and political party officials--have increasingly called for tolerance. During the end of August and the beginning of September 2004, then-Prime Minister Bajram Rexhepi and SRSG Soren Jessen-Petersen visited Serb-inhabited areas in the municipalities of Gjilan/Gnjilane, Novoborde/Novo Brdo, Prizren, Mitrovice/Mitrovica, and Peje/Pec, appealing to Kosovo-Serbs to return. On February 27, 2005, former Prime Minister Ramush Haradinaj addressed a letter to Kosovo citizens calling upon them to respect the rule of law and exercise tolerance, stating: "The Albanian majority has a special obligation towards the Serb community. They should be able to move freely in Kosovo." During an April 2005 visit to Montenegro, Minister for Local Government Administration along with Minister for Returns and Communities Slavisha Petkovic, Minister of Local Government Administration Lutfi Haziri, appealed to all of Kosovo's displaced to return home.

Spurred by two separate events, the media openly debated the pros and cons of wearing the traditional Islamic headscarf in public. On May 23, 2005, a principal suspended a public school teacher for wearing a headscarf to class, citing a provision of Kosovo's law on education that obligates public institutions to adopt a neutral attitude towards religion when providing education. On May 29, Pristina Municipality's Department of Education dismissed the teacher. Another case in April 2005 involved a primary school student who was dismissed from class for wearing a headscarf. A similar case resulted in a June 2004 non-binding opinion from the Ombudsperson that the Ministry's interpretation should only apply to school teachers and officials, not students. Both parties have filed petitions with the Ministry of Education and formal complaints with Kosovo's Ombudsperson.

Protestants still report that they feel discriminated against in media access, particularly by the public Radio and Television Kosovo (RTK).

There were no reports of religious detainees or prisoners.

Forced Religious Conversion

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the government authorities' refusal to allow such citizens to be returned to the United States.

Abuses by Terrorist Organizations

There were no reported abuses targeted at specific religions by terrorist organizations during the period covered by this report.

Improvements in Respect for Religious Freedom

Prior to and following the March 2004 riots, KFOR and UNMIK international police, with increased participation of the KPS, reported a reduction in the number of crimes committed against Orthodox persons and sites. During July, August and September 2004, UNMIK reported no serious crimes with potentially ethnic motive. Assembly elections were held in October 2004, without the Serb population participating and without major ethnically-motivated incidents. In March, then-Prime Minister Ramush Haradinaj called for calm after he was indicted by the International Criminal Tribunal for the former Yugoslavia, and the event passed without major incident. Both the elections and the indictment were seen locally and internationally as possible flash points for inter-ethnic violence and/or attacks on religious sites. In response to the lack of aggression following these probable "trigger events," the SRSG and international community have praised both sides. One of the most serious challenges facing the international community in its administration of Kosovo has been to stop ethnically motivated attacks on Serbian Orthodox churches and shrines and on the Orthodox population of Kosovo. Following the riots of March 2004 during which 30 Orthodox religious sites and more than 900 homes and businesses of ethnic minorities were burned or damaged, the number of attacks on Serbian Orthodox churches decreased steadily. Members of the PISG and some political leaders made efforts to communicate with Kosovo Serbs and Serbian Orthodox officials and expressed a public commitment to assist in their return and the reconstruction of damaged or destroyed churches.

Prompted by international organizations, Kosovo leaders sought to address the concerns of persons displaced by the violence and agreed to cooperate with religious site reconstruction after the March 2004 riots. On the basis of a Council of Europe damage assessment, the PISG allocated \$5.3 million (4.2 million euros) for the initial phase of the reconstruction of churches and monasteries damaged in the March riots. On March 25, 2005, after protracted negotiations with Serbian Orthodox Church (SOC) officials, the PISG and SOC signed an MOU laying down the general principles of cooperation for the reconstruction process. On the basis of this MOU, representatives of the SOC, the Serbian Ministry of Culture and the PISG became part of an implementation committee chaired by an international heritage expert. However, the process stalled when Bishop Artemije of Raska and Prizren withdrew his assent to the MOU and participation in the committee. The international community, USOP, and the SRSG appealed to the Bishop to reconsider his decision, but to no result. However, Father Sava of Decan Monastery reports that during a week-long meeting from May 18 to May 25, 2005, of the Holy Synod of the SOC, church leadership decided to accept the PISG's funds.

In its March 2005 report on post-March 2004 conditions, UNMIK states that 348 individuals have been brought before Kosovo courts for riot-related offenses; of these 179 cases have been completed, 71 are awaiting trial, and 98 were still under investigation. At least 57 serious cases have been prosecuted by international lawyers and have concluded with sentences of up to 16 years in prison. Local judges have handed down more than 85 convictions, ranging from court reprimands and fines up to 200 euros (\$240) to convictions from two months to two years. In addition, on May 19, 2005, an international panel of judges of the Gjilan/Gnjilane District Court convicted six Albanians in connection with the killing of two Serbs during the March 2004 riots and sentenced them to a total of 38 years in prison. (One received 16 years, another 11, another three-and-a-half. Three others each received two and a half years in prison.).

Section III. Societal Attitudes

Ethnicity and religion are inextricably linked in Kosovo. While most Kosovo Albanians identify themselves as Muslim, the designation has more of a cultural than religious connotation. Kosovo Serbs identify themselves with the Serbian Orthodox Church, which defines not only their religious but also their cultural and historical perspectives. During and after the 1999 conflict, some Serbian Orthodox leaders played a moderating political role, but most have since withdrawn from political life as secular Serb leaders have stepped forward, especially following the November 2001 elections and subsequent establishment of Kosovo's Provisional Institutions of Self Government.

Societal violence continued but decreased sharply from the last reporting period. Of 32 killings in Kosovo from July 2004 through January 31, 2005, there was one Serb victim and that crime was found to be neither ethnic nor politically motivated. Although tension between communities has remained high, the prevailing crime trend is against property instead of persons. In 2004, 59 percent of potential ethnically motivated incidents were property-related offences. There were some reported incidents of rock-throwing and other assaults against Serbian Orthodox clergy as they traveled outside of their monasteries, and monks and nuns at some monasteries reportedly remained unable to use parts of the monasteries' properties due to concerns about safety.

The 2004 report cited a media story claiming that an imam was kidnapped and assaulted by masked assailants. After an investigation, UNMIK police forces have determined this incident did not occur.

Security concerns continued to affect the Serb community and its freedom of movement and also affected their freedom to worship, particularly after the March riots. Some Kosovo Serbs asserted that they were not able to travel freely to practice their faith due to security concerns. Serb families with relatives living in both Kosovo and Serbia were restricted by security concerns from traveling for religious holidays or ceremonies, including weddings and funerals. Father Sava told USOP that KFOR stopped escorting non-clergy parishioners to religious sites in April 2005, and he has seen attendance at services decline as a result. Sava also reports that when traveling through Kosovo, his van is sometimes pelted with stones and verbal insults, although he and his co-religious generally traveled freely and without incident on Kosovo's main highways during the period covered by this report. Father Sava and Bishop Teodosije both traveled to USOP, escorted but without incident, on June 8, 2005, for a visit with the Department of State Undersecretary for Political Affairs, a visit preceded by their first tour of Pristina in six years. On April 21, 2005, KFOR withdrew its last two armored cars from the bridge connecting majority Serb-inhabited Mitrovica North and Kosovo Albanian dominated Mitrovica South and on April 29 opened 24-hour passage on the bridge, although KFOR stands ready to re-

secure the bridge at a moment's notice. On January 8, 2005, checkpoints and barbed wire were removed from the Serbian village of Binca and UNMIK announced that enclaves no longer existed in Klina municipality.

Some minor attacks on Serbian Orthodox religious sites continued during the period covered by this report. Father Sava reports that in Gjakova/Djakovica municipality, some graves were vandalized in Piskote village, and some family members told him bodies were removed. Serbian media reported on May 12, 2005, that an explosive device was found 200 meters from an Orthodox church in Viti/Vitina; the investigation is still ongoing.

Local media reported that that a Catholic cemetery in Prizren vandalized in 2001, was vandalized again on May 24, 2005.

Many of the churches and monasteries burned in the March 2004 riots were constructed in the 14th century and are considered part of Kosovo's cultural and religious heritage. Father Sava provided a comprehensive list of religious sites destroyed or damaged between March 17 and 19. The list included 30 sites altogether in the following 14 locations: Prizren, Rahovec, Gjakova, Skenderaj, Peja, Ferizaj, Kamenica, Shtime, Pristina, Fushe Kosove, Vushtrri, Obiliq, Mitrovica, and Podujevo. A Council of Europe mission to assess the damage concluded that approximately \$11.83 million (9.7 million euros) would be required to repair and restore the damaged sites. A joint commission with representation from the PISG, Serbian Orthodox Church and international donors is in the process of issuing tenders and repair is expected to begin shortly after.

On May 13, 2005, UNESCO, in cooperation with UNMIK, the Council of Europe, and the European Commission, held an international donor's conference in Paris for the protection and preservation of cultural heritage in Kosovo. The conference determined that 75 priority cultural and religious monuments and sites would be restored, among them 48 Serbian Orthodox (including the Decani Monastery which UNESCO classified a World Heritage Site in 2004), 14 Islamic and 13 secular/historical. Attending with the SRSG, the Minister of Culture distributed an inflammatory document disavowing the historical validity of the Serbian Orthodox monuments and describing a singular Kosovo-Albanian history in Kosovo. The SRSG immediately condemned this action and retrieved all the documents. The Synod has called for the minister's immediate resignation.

In addition, problems with the unfinished Serbian church located on University of Pristina grounds continued. During the 1990s, the Serb-dominated administration in Pristina during the 1990s gave the land on which the church sits to the Serbian Orthodox Church. In 2003, the Pristina Municipal Assembly passed a resolution to return the land to the University. The UNMIK representative in the Pristina municipal government immediately suspended this decision, and no further action has been taken to date. In February 2005, a Christian cross attached to the church was bent. The media reported that Roma from Albania were squatting around the unfinished church for several months until they were removed in April after Orthodox leaders sent an open letter to the SRSG complaining of the situation.

In light of societal violence in Kosovo against properties owned by the Serbian Orthodox Church and Serbian Orthodox religious symbols, UNMIK authorities continued to provide special security measures to protect religious sites and to ensure that members of all religious groups could worship safely. KFOR deployed security contingents at religious sites throughout Kosovo to protect them from further destruction, such as that which had occurred immediately after KFOR's intervention in 1999; however, KFOR gave priority to saving persons' lives rather than property and was unable to stop the burning and destruction of many sites in March 2004. Due to improving security conditions and decreasing interethnic tensions in some areas, KFOR removed static checkpoints from most churches and religious sites during the period covered by this report, relying instead on patrols by the U.N. international police (CIVPOL) and indigenous Kosovo Police Service (KPS). In most cases, such changes in security measures did not result in a change in the level of safety of, or access to, the religious sites. During the March 2004 riots, KFOR, CIVPOL and KPS were involved in crowd control and protecting lives and property. The priority was evacuating persons over saving property, even religious property. Immediately following the March riots, the process of transfer of jurisdiction over local police stations from KFOR to CIVPOL and KPS was halted; transfer has since continued and 27 of 32 jurisdictions in Kosovo are now under local KPS patrol.

Although previously Protestants have reported suffering violence and discrimination, during the period covered by this report they had no major complaints and even said they perceived a slight improvement. They reported discrimination through verbal attacks and exclusion from interfaith initiatives by the Islamic leadership who defended their actions on the grounds that Protestants are not considered a "traditional" religion in Kosovo. They also stated that while public television station RTK as an institution has not specifically reported on the Protestant religion, some individuals within the RTK had a more positive approach. In March 2005, these individuals organized a religious program and invited Protestant representatives. Protestants also reported slight discrimination in schools where sometimes parents of pupils were allegedly called in to deter their children from following Protestantism.

On April 13, 2005, Kosovo-Albanian municipal authorities called upon Serbs to return to Frahser/Svinjare village, which has been entirely rebuilt following its destruction during the March 2004 riots. On January 8, 2005, UNMIK announced it had removed checkpoints and barbed wire from the Serb village of Binca in Klina municipality; they reported that residents felt safe and were not harassed.

Catholic leaders reported that they had good relations with the Muslim community but hardly had any contact with the Orthodox leadership, whom they consider highly politicized. Orthodox leadership believes the same of the Catholic leadership. The Muslim community made similar remarks concerning their relationship with the Catholic leadership and lack of relationship with the Orthodox community.

In September 2004, Radio Free Europe together with Serbia's TV Most broadcast a dialogue between Serbian Orthodox Father Sava and Qeamail Morina, an associate dean at the Islamic Faculty in Pristina. This was the first dialogue and first contact between a representative of the SOC and the Islamic religious community in Kosovo since the events of March 2004. Both the Islamic community and Father Sava report no dialogue has since occurred between the two entities, although the Islamic community said it has informally reached out to invite dialogue with Orthodox leaders.

On May 1, 2005, the Decan monastery hosted the SRSG, USOP's Chief of Mission, the local municipal president and the PISG's minister for environment and spatial planning, Ardian Gjini, for Orthodox Easter services. Father Sava described the event as "positive" and had a "moderate" conversation with Kosovo-Albanians--an effort he plans to continue with the municipal president and Gjini.

The withdrawal of FRY and Serbian troops from Kosovo in 1999 and establishment of UNMIK resulted in an improved situation for the majority, largely Muslim, ethnic Albanian population, and a cessation of attacks on their mosques and religious sites.

Islamic, Orthodox, and Catholic leaders have attempted to encourage tolerance and peace in Kosovo, in both the religious and political spheres.

Section IV. U.S. Government Policy

The U.S. Government discusses religious freedom issues with UNMIK, the PISG, and religious representatives in Kosovo as part of its overall policy to promote human rights and has sought to promote ethnic and religious tolerance in Kosovo. U.S. officials have also maintained close contacts with religious leaders.

The U.S. is involved actively in UNMIK, whose goal is to secure peace, facilitate refugee return and reconstruction, lay the foundations for democratic self-government, and foster respect for human rights regardless of ethnicity or religion.

U.S. KFOR peacekeeping troops have worked to prevent ethnic and religious violence in Kosovo and have guarded religious sites. USKFOR was credited with preventing the situation from further escalation in their sector during the March 2004 riots and they have increased their presence within the sector they patrol.

The U.S. Government funded the remainder of a survey of Islamic manuscripts in Kosovo to help the local Islamic community preserve its religious heritage.

The Department of State funds a U.N. international police (CIVPOL) advisor in Pristina and provided \$40 million (31.86 million euros) to support KPS and CIVPOL. KPS and CIVPOL have worked to prevent ethnic and religious violence in Kosovo.

The Department of State provides \$3.5 million in funding for returns programs for Muslim and Orthodox Roma, Orthodox Serbs, and Muslim Bosnians. USOP also funds a locally-engaged staff member dedicated to this issue.

In the wake of the March 2004 inter-ethnic violence, U.S. officers met with Islamic, Orthodox, and Catholic authorities to discuss ways of supporting reconciliation and interfaith dialogue. Many high-level U.S. Government and military officials visited Kosovo and met with both political and religious leaders to assess the situation and urge reconstruction and progress toward a multiethnic Kosovo and continued to do so. The U.S. Office also urged the Kosovo government to quickly reconstruct Serb homes and allow UNESCO to take the lead on reconstruction of destroyed and damaged religious sites in Kosovo. At the May 13 donor's conference in Paris, USG pledged one million dollars for this purpose.

On July 14, 2004, representatives of the PISG, leaders of Kosovo Albanian political parties and representatives of the Serb community reached an agreement at the U.S. Office for establishing the Ministry for Returns and Communities within the Government.

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